IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1375 of 2002

IN

SUIT NO. 1607 OF 2002

Narayanrao G. Nikose & Ors. .. Plaintiffs

versus

Maharashtra Housing & Area Development Authority & Ors. .. Defendants

...

Mr.V.J. Shah i/b N.M. Mulaskar for the plaintiff.

None for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 18th February 2005.

P.C.:

1. By an order dated 6th September 2002 passed by the Division Bench in appeal no.572 of 2002, the order passed by the Single Judge of this Court was set aside and the matter was remanded back to this Court on the ground that the defendant wanted to file

a detailed reply and the matter may be reconsidered by the Court after filing of the detailed reply by the defendant. Despite the said order, the defendant has not filed any reply after the decision of the Division Bench.

2. By an order dated 11th February 2005, the defendant was granted one weeks time by way of last opportunity. Even then, the defendant has failed to file any reply. Hence, there is no new material brought before this Court after this Court's order dated 17th may 2002.

3. Hence, for the reasons recorded in the order dated 17th May 2002, motion is made absolute in terms of paragraph no.7 of the order dated 17.5.2002.

D.G. KARNIK, J